

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2020, Legislative Day No. 4

Bill No. 9-20

Introduced by Ms. Pickard, Chair
(by request of the County Executive)

By the County Council, February 18, 2020

Introduced and first read on February 18, 2020
Public Hearing set for March 16, 2020 (Postponed)
Public Hearing set for and held on May 26, 2020
Public Hearing on AMENDED bill set for and held on June 15, 2020
Bill Expires May 23, 2020 (Expiration Date Extended to July 10, 2020)

By Order: JoAnne Gray, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: 2020 Amendments to the Anne Arundel County Solid
2 Waste Management Plan 2013

3
4 FOR the purpose of amending the Anne Arundel County Solid Waste Management Plan
5 2013; and generally relating to the Anne Arundel County Solid Waste Management
6 Plan 2013.

7
8 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
9 That the Anne Arundel County Solid Waste Management Plan 2013, as amended (the
10 “Plan”) is hereby amended as follows:

11
12 1. On page 3-32 of the Plan, under “**Section 3.4.3 Waste Transfer Stations**”, strike:

13
14 “**Owner:** ***Curtis Creek Recovery Systems, Inc. (Co/ Ameriwaste)***

15
16 ***MDE Permit:*** ***2008-WPT-0539***

17
18 ***Expiration:*** ***12/22/2013***”

19
20 and substitute:

21
22 “**Owner:** ***Waste Management, Inc.***

23
24 ***MDE Permit:*** ***2018-WPT-0539***

EXPLANATION: Underlining indicates amendments to bill.
~~Strikeover~~ indicates matter stricken from bill by amendment.

1 **Expiration:** **1/24/2024”;**
2

3 and on the same page, in the second paragraph, beginning in the second line through the
4 third line, strike “Curtis Creek Recovery Systems, Inc. (Co/ Ameriwaste, LLC)” and
5 substitute “Waste Management, Inc.”.
6

7 2. On page 3-33 of the Plan, under “**Section 3.4.4 Other Waste Acceptance Facilities**”,
8 strike:
9

10 **“Dead Animal Incinerators**

11
12 The only known privately owned and operated dead animal incinerator within the
13 County is the West Arundel Crematory located at 1411 Annapolis Road, Odenton,
14 Maryland 20707. The capacity is estimated at 100 pounds per hour.”
15

16 3. On page 3-33 of the Plan, under “**Section 3.4.4 Other Waste Acceptance Facilities**”,
17 after the last paragraph insert:
18

19 **“Special Medical Waste Processors**

20
21 **Biomedical Waste Services, Inc.**

22
23 **Owner:** **Biomedical Waste Services, Inc.**

24
25 **MDE Permit:** **2016-WPT-0676**
26

27 Biomedical Waste Services, Inc. (“BMWS”) is a privately owned, special medical
28 waste facility located at 7610 Energy Parkway, Curtis Bay, MD 21226.
29

30 BMWS’s operation involves the acceptance, processing and transfer of special
31 medical waste. The processing component involves the use of an autoclave for the
32 purpose of sterilization and compaction of the medical waste prior to transfer.”.
33

34 4. On page 3-34 of the Plan, after the second line, insert:
35

36 **“3.4.5 Rubble Landfills**

37
38 **Tolson and Associates Rubble Landfill**

39
40 **Owner:** **Tolson and Associates, LLC**

41
42 **MDE Permit:** **2019-WRF-0580**
43

44 **Expiration:** **December 9, 2024**
45

46 **Latitude/Longitude:** **36.0336N/-76.7043W**
47

48 **Operating Status:** **Open**

1 The Tolson and Associates Rubble Landfill (“Tolson”) opened in December of
2 2016 and is privately owned by Tolson and Associates, LLC. The facility is located
3 off MD 3 at the end of Capitol Raceway Road, Crofton, Maryland. Tolson is a
4 modern constructed landfill, which includes a state-of-the-art liner system, leachate
5 collection system, landfill gas and groundwater monitoring systems and is
6 permitted by MDE Refuse Disposal Permit 2019-WRF-0580. The facility
7 encompasses a 72.38 acre fill area on a 184.25 acre site operating an active landfill,
8 recycling, natural wood waste, and yard waste processing and composting areas.
9 The facility is also permitted as a Tier 1 yard waste composting facility under MDE
10 General Composting Facility Permit 2018-GCF-0018.

11
12 The landfill facility includes a scale and scale house, maintenance and storage
13 building, leachate storage tank, and mulching and composting area. Co-located
14 with the landfill is a sand and gravel mining and processing operation which
15 operates under separate permits issued by MDE and Anne Arundel County.

16
17 The facility is permitted to accept land clearing, construction and demolition debris
18 and other waste material as allowed in the Facility’s Refuse Disposal Permit. No
19 hazardous waste is accepted. Recovery, management and processing of recyclables
20 including, but not limited to, natural wood waste (mulch), yard waste (compost),
21 metals, concrete, and cardboard occurs at Tolson. In accordance with the goals and
22 objectives of Anne Arundel County, Tolson may also utilize other technologies,
23 processes and equipment to reduce, reuse and recycle acceptable solid waste. The
24 service life of this facility extends well beyond the ten (10) year planning period.”.

- 25
26 5. On page 3-44 of the Plan, under “**Section 3.7.2 Yard Waste Processing**”, under the
27 section entitled “**County Yard Waste Processing Facility**”, strike:

28
29 “Leaves and grasses are composted on-site and marketed under the name Anne’s
30 Best Compost. **Appendix B, Table 3-2** shows that approximately 2,800 tons of
31 yard waste, on average (2011), is composted at the Landfill.”

32
33 and substitute:

34
35 “MDE issued a Tier 1 yard waste composting facility permit (MDE CF Permit:
36 2016-GCF-0013) to Anne Arundel County under state regulations (COMAR
37 26.04.11, Composting Facilities), which became effective July 2015. Additionally,
38 the County expanded the size of its compost pad to 8.5 acres, tripling its capacity.
39 Operation of the composting facility was contracted out to Harvest Mid-Atlantic,
40 LLC in September 2018 under their CF Permit 2018-GCF-0020. In September
41 2019, MDE approved a permit modification to change the permit from Harvest
42 Mid-Atlantic, LLC to WeCare Denali, LLC due to a change in ownership.”.

- 43
44 6. On page 3-45 of the Plan, under “**Section 3.7.2 Yard Waste Processing**”, strike:

45
46 “**Top Soil Etc.**

47
48 The Top Soil Etc. Facility is located at 7012 Fort Smallwood Road, Baltimore, MD,

1 21226. This privately owned and operated facility is approximately 10 acres in size,
2 and can process approximately 20,000 tons per year of material. Along with yard
3 waste, Top Soil Etc. also processes dirt, stone and rubble-type materials to create
4 compost, mulch, top soil, and specialized soil blends, as well as a variety of stone
5 products.

6
7 The County maintains a contract with Top Soil Etc. for yard waste management
8 and processing services. Private contractors in the County also collect and transport
9 yard waste to this Facility. This facility handles a portion of the County’s yard waste
10 stream, which varies year-to-year.”.

11
12 7. On page 3-46 of the Plan, under “**Section 3.7.2 Yard Waste Processing**” after the
13 second paragraph, insert:

14
15 *“Tolson & Associates, LLC*

16
17 *Owner: Tolson & Associates*

18
19 *MDE CF Permit: 2018-GCF-0018*

20
21 Tolson & Associates is a privately owned, Tier 1 yard waste composting facility
22 located at the end of Capital Raceway, Crofton, MD 21114. The operation involves
23 the acceptance and processing of grass, leaves and brush into a marketable compost
24 product.”.

25
26 8. On page 5-34 of the Plan, under “**Section 5.14.1 Proposed Private Waste Processing**
27 **Facilities**”, strike:

28
29 “Currently, there is one (1) proposed private processing facility and transfer station
30 with a permit application under review by the MDE. This facility is Biomedical
31 Waste Services Inc. The proposed facility has not yet obtained its Refuse Disposal
32 Permit.

33
34 **Biomedical Waste Services, Inc.**

35
36 *Owner: Biomedical Waste Services, Inc.*

37
38 *MDE Permit: Permit Application Under Review by MDE*

39
40 The proposed Biomedical Waste Services facility is planned to be sited at 7610
41 Energy Parkway, Baltimore, Maryland 21230, located within Anne Arundel
42 County. The proposed operation involves the acceptance, processing and transfer
43 of special medical waste. The processing component will involve the use of an
44 autoclave for the purpose of sterilization and compaction of the medical waste prior
45 to transfer.

46
47 The County’s Office of Planning and Zoning has reviewed Biomedical Waste
48 Services Inc.’s proposed operation and determined that it is allowed in the Zoning
49 Code as a permitted use in the W2-Industrial District.”

1 and substitute:

2
3 “Currently there are no proposed private waste processing facilities located in the
4 County.”.

5
6 9. On page 5-34 of the Plan, under “**Section 5.14.2 Proposed Private Waste Disposal
7 Facilities**”, strike:

8
9 “Currently, there are two (2) proposed private rubble landfills with permit
10 applications under review by the MDE. These facilities are the Tolson & Associates
11 Rubble Landfill and the Chesapeake Terrace Rubble Landfill. These proposed
12 facilities have been in the permitting process for several years, and MDE has not
13 yet rendered a decision on the issuance of Refuse Disposal Permits for either site.
14 Tolson & Associates and Chesapeake Terrace were included in the 2003 Plan
15 Update.”

16
17 and substitute:

18
19 “Currently, there is one (1) proposed private rubble landfill with a permit
20 application under review by the MDE. This facility is the Chesapeake Terrace
21 Rubble Landfill. The facility has been in the permitting process for several years,
22 and MDE has not yet rendered a decision on the issuance of a Refuse Disposal
23 Permit. Chesapeake Terrace was included in the 2003 Plan Update.”.

24
25 10. On page 5-35 of the Plan, strike:

26
27 “*Tolson & Associates Rubble Landfill*

28
29 ***Owner: Tolson & Associates, LLC (Capitol Raceway
30 Promotions, Inc., JM Land Development Company,
31 and Capitol Associates, LLC)***

32
33 ***MDE Permit: Permit Application Under Review by MDE***

34
35 The proposed Tolson & Associates Rubble Landfill is planned to be sited at the end
36 of Capitol Raceway Road, Crofton, in Anne Arundel County, Maryland. The
37 proposed rubble landfill is planned to be constructed adjacent to the closed
38 Cunningham Rubble Landfill. The proposed site is bounded to the northeast by
39 Four Season’s Estates, to the west by the Little Patuxent River, to the southeast by
40 Capitol Raceway Park and Evergreen Road, and to the north by the closed
41 Cunningham Rubble Landfill. The proposed rubble landfill consists of an
42 approximately 72-acre fill area on an approximate 184-acre site.

43
44 This facility’s rubble landfill permit application is currently under review by MDE.
45 If permitted, this facility would potentially provide an outlet for the recycling and/or
46 disposal of County-generated C&D Debris.”.

1 11. In Appendix D of the Plan, insert the “Office Building Recycling Program” attached
2 hereto as Exhibit A; and

3
4 12. In Appendix D of the Plan, insert the “Office Building Recycling Locations” attached
5 hereto as Exhibit B.

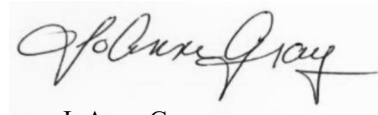
6
7 SECTION 2. *And be it further enacted*, That the Anne Arundel County Solid Waste
8 Management Plan 2013, as amended by this Ordinance, is incorporated herein by reference
9 as if fully set forth. A copy of the Anne Arundel County Solid Waste Management Plan
10 2013, as amended by this Ordinance, shall be permanently kept on file with the
11 Administrative Officer to the County Council, the Office of Planning and Zoning, and the
12 Department of Public Works.

13
14 SECTION 3. *And be it further enacted*, That this Ordinance shall take effect 45 days
15 from the date it becomes law.

AMENDMENTS ADOPTED: May 26, 2020

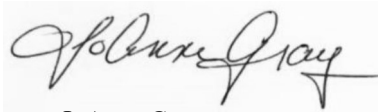
READ AND PASSED this 15th day of June, 2020

By Order:



JoAnne Gray
Administrative Officer

PRESENTED to the County Executive for his approval this 16th day of June, 2020



JoAnne Gray
Administrative Officer

APPROVED AND ENACTED this 17th day of June, 2020



Stuart Pittman
County Executive

EFFECTIVE DATE: August 1, 2020

I HEREBY CERTIFY THAT THIS IS TRUE AND CORRECT COPY OF
BILL NO. 9-20. THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.



JoAnne Gray
Administrative Officer

**ANNE ARUNDEL COUNTY
DEPARTMENT OF PUBLIC WORKS
BUREAU OF WASTE MANAGEMENT SERVICES**

OFFICE BUILDING RECYCLING (OBR) PROGRAM

A. Background

In 2019, the Maryland General Assembly passed Senate Bill 370, *Environment-Recycling-Office Buildings* with an effective date of October 1, 2019. The law requires the collection and recycling of certain recyclable materials from buildings that have 150,000 square feet or greater of office space.

The Anne Arundel County (County) Department of Public Works' (Department) Bureau of Waste Management Services (Bureau), working with state and local agencies, identified seventeen (17) office buildings located within Anne Arundel County that fall under the scope of the law. These are listed in Attachment 1, Office Building Recycling Program Inventory.

B. Office Building Recycling Program Requirements

Per Section 9-1714 of the Environment Article, Annotated Code of Maryland, each owner of the office building having 150,000 square feet or greater of office space must provide, by October 1, 2021, recycling receptacles for the collection and removal for further recycling of recyclable materials deposited into the recycling receptacles. The owners of the participating office buildings must comply with the following:

1. Materials Included in Program
Plastic, metal, paper, and cardboard materials
2. Collection of Materials
Property owners are responsible for providing all containers, labor, and equipment necessary to fulfill recycling requirements throughout their buildings. Distinctive colors and/or markings of recycling containers should be provided to avoid cross contamination. Additionally, property owners are responsible for the collection and transportation of recyclable materials from office building locations to markets. Size, type and number of recycling containers to be used are at the discretion of the property owner. Owners and/or Tenants will be responsible for placing recyclables in the supplied recycling containers prior to their collection on the scheduled pick up day.
3. Marketing of Materials
Property owners are responsible for the marketing of their recyclables. Annual reports shall be submitted detailing the recycling tonnage removed from the office building and the end-markets for the materials.

Property owners must report the details on their recycling activities to the County on an annual basis, beginning with calendar year 2021.

**ANNE ARUNDEL COUNTY
DEPARTMENT OF PUBLIC WORKS
BUREAU OF WASTE MANAGEMENT SERVICES**

OFFICE BUILDING RECYCLING (OBR) PROGRAM

C. Stakeholders

Stakeholders that will be involved in implementing the law are:

1. Anne Arundel County Council – Responsible for adopting the MDE approved language of the Office Building Recycling Program as an amendment to the Anne Arundel County Solid Waste Management Plan 2013-2023.
2. Department of Public Works, Bureau of Waste Management Services, Recycling and Waste Reduction Division – Responsible for communicating the requirements of the law to affected property owners. If requested, the Bureau will assist affected property owners in developing a recycling program. Beginning with calendar year 2021, the Bureau will utilize the established Maryland Recycling Act (MRA) Solid Waste Survey as the mechanism for property owners to report recycling activities required under the law.
3. Property Owner or Manager of the Office Building – Responsible for providing recycling to tenants of each office building by October 1, 2021 including securing and managing recycling contracts for material collection and recycling services, including material collection bins and containers for transporting materials from the buildings. Responsible for performing record keeping and reporting to the County on an annual basis.

D. Participating Office Buildings in OBR Program

Regulated properties are listed in Attachment 1, Office Building Recycling Program Inventory. New buildings with 150,000 square feet or greater of office space will be required to offer recycling services to tenants within three (3) months of being notified by the County.

E. Schedule for the Development and Implementation of the Program

The Bureau's Recycling and Waste Reduction Division will notify office building officials, referred to as property owners in this document, of their responsibilities under the law including the materials that must be collected and recycled (plastic, metal, paper, and cardboard materials) at each office building.

The OBR Program will be implemented according to the following schedule:

1. By January 1, 2021, County will have completed distribution of the MDE approved language for the OBR Program to the property owners for OBR Program implementation.
2. By September 1, 2021, property owners will finalize and secure recycling services contracts with the private contractors.
3. On or before October 1, 2021, tenants will begin utilizing the provided recycling program at the participating office building locations.

**ANNE ARUNDEL COUNTY
DEPARTMENT OF PUBLIC WORKS
BUREAU OF WASTE MANAGEMENT SERVICES**

OFFICE BUILDING RECYCLING (OBR) PROGRAM

F. Program Monitoring

The Recycling and Waste Reduction Division shall oversee the progress and performance of the OBR Program. However, the property owners will be responsible for conducting inspections, reviewing service levels, investigating reported or unreported pick-up and disposal complaints, meeting with tenants or recycling contractor staff to educate or review practices, and reviewing contractor compliance with the recycling contract. Any issues which arise that are deemed deficiencies on the part of the tenants or recycling collection contractor will be detailed in writing by the property owner and reported to the violator. Property owners shall require corrective actions to occur within sixty (60) days of notification. The property owners will also be available to conduct educational seminars and/or tours regarding new materials, practices, and procedures for tenants. Also, the property owner or manager shall be responsible for keeping the tenants current on new regulations, laws, and mandates affecting recycling in the office buildings.

G. Program Enforcement

The Recycling and Waste Reduction Division will monitor the implementation of a recycling program at office buildings as required by Sections 9-1703 of the Environment Article, Annotated Code of Maryland. The Recycling and Waste Reduction Division will confirm program compliance through the receipt of the annual MRA Solid Waste Survey beginning with calendar year 2021. Shortly after the end of each calendar year, the Recycling and Waste Reduction Division will provide each property that falls within the scope of the law, the MDE approved MRA Solid Waste Survey. Within this survey, property owners will provide data on their solid waste management, to include information regarding their recycling program.

If necessary, the County Office of Law will be consulted on any enforcement action contemplated as provided in the State Law.



March 26, 2020

Mr. Richard Bowen, Manager
Recycling and Waste Reduction
Anne Arundel County Department of Public Works
Heritage Complex, 2662 Riva Road
Annapolis, Maryland 21401

Dear Mr. Bowen:

The Maryland Department of the Environment (“MDE”) has completed its review of Anne Arundel County’s (the “County”) March 12, 2020 draft text of the office building recycling plan (OBR plan) for the County’s 2013-2023 Solid Waste Management Plan (the “Plan”). The County submitted the OBR plan to MDE for its review in response to the requirement of Senate Bill 370 that requires the County to include the OBR plan in the County’s Plan by October 1, 2020. MDE received the draft OBR plan on March 12, 2020.

Based on the review, MDE determined that the draft text of the OBR plan will meet the requirements of Senate Bill 370 provided that the following changes are made:

1. On Page 1, under B, replace the first paragraph with “Per Section 9-1714 of the Environment Article, Annotated Code of Maryland, each owner of the office building having 150,000 square feet or greater of office space must provide, by October 1, 2021, recycling receptacles for the collection and removal for further recycling of recyclable materials deposited into the recycling receptacles. The owners of the participating office buildings must comply with the following”.
2. On Page 1, under B, in the last paragraph, replace “2020” with “2021”.
3. On Page 2, under C, in #1, replace “Solid Waste Management Plan 2013” with “2013-2023 Solid Waste Management Plan”.
4. On Page 2, under C, in #3, replace “2020” with “2021”.
5. On Page 2, under E, replace “glass containers” with “cardboard”.
6. On Page 2, under E, revise the schedule for October 1, 2021 OBR plan implementation date.
7. On Page 3, under G, replace “2020” with “2021”.

Mr. Richard Bowen

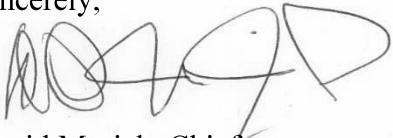
Page 2

In accordance with Section 9-507(a) of the Environment Article, Annotated Code of Maryland, the draft text of the OBR plan, with edits specified, is tentatively approved.

Be advised that before the County adopts the revised OBR plan, the County is required to comply with the requirements of Section 9-506(a) of the Environment Article, Annotated Code of Maryland, regarding submittal of the plan to the County's planning agency for its certification of the OBR plan. The County must also comply with the public hearing requirements of Section 9-503(d) of the Environment Article, Annotated Code of Maryland, and Code of Maryland Regulations 26.03.03.05C prior to the adoption of the OBR plan. Once the OBR plan has been adopted by the County Council, the County must submit the adopted OBR plan to MDE for its review and final approval no later than **July 15, 2020**. The OBR plan must be accompanied by a discussion of substantive issues raised at the public hearing and how they were resolved.

Thank you for your continuing interest and cooperation in providing sound and long-term solid waste management planning for the County. If you have questions on these matters, please contact Mr. Tariq Masood at 410-537-3326 or tariq.masood@maryland.gov or you may contact me, at 410-537-3314 or dave.mrgich@maryland.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'DMRGICH', written over a light blue horizontal line.

David Mrgich, Chief
Waste Diversion Division

cc: Tariq Masood, Project Manager, MDE, Waste Diversion Division

SDAT Area	Owner	Property Address	City	Zip Code
275,410	STATE OF MARYLAND DEPT GEN SVCS	Community	CROWNSVILLE	21032
218,476	Anne Arundel Medical Center In	Medical	ANNAPOLIS	21401
160,000	Corporate Office Properties Trust	Milestone	HANOVER	21076
151,605	NBP 211 LLC	TECHNOLOGY	ANNAPOLIS JUNCTION	20701
161,528	NBP 220 LLC	TECHNOLOGY	ANNAPOLIS JUNCTION	20701
234,264	NBP 300 LLC	SENTINEL	ANNAPOLIS JUNCTION	20701
162,750	NBP 302 LLC	SENTINEL	ANNAPOLIS JUNCTION	20701
162,729	NBP 304 LLC	SENTINEL	ANNAPOLIS JUNCTION	20701
162,729	NBP 306 LLC	SENTINEL	ANNAPOLIS JUNCTION	20701
164,448	NBP 308 LLC	SENTINEL	ANNAPOLIS JUNCTION	20701
191,464	NBP 310 LLC	SENTINEL	ANNAPOLIS JUNCTION	20701
153,697	NBP 540 LLC	NATIONAL BUSINESS	JESSUP	20794
204,000	BRIT-AIRPORT INVESTMENT BUILDING LLC	ELKRIDGE LANDING	HANOVER	21076
288,519	UNITED STATES OF AMERICA	SCIENCE	LINTHICUM	21090
153,930	1550 NURSERY CORNER LLC	NURSERY	LINTHICUM HGTS	21090
166,095	NORTHROP GRUMMAN SYSTEMS CORP	NURSERY	LINTHICUM HGTS	21090
157,850	NORTHROP GRUMMAN SYSTEMS CORP	NURSERY	LINTHICUM HGTS	21090